

BILL NO. X-71-11-09

*Amended*

ANNEXATION ORDINANCE NO. X-39-71

AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Being part of Section 33, Township 31 North, Range 13 East, and Section 34, Township 31 North, Range 13 East, and Section 3, Township 30 North, Range 13 East, and Section 4, Township 30 North, Range 13 East, being part of the Kercheval Reserve, bounded on the north by Hicksville Road, more commonly known as East State Boulevard, bounded on the south and east by Maysville Road, also known as Lake Avenue, bounded on the west by the Fort Wayne Corporate Limits, as established by Annexation Ordinance No. X-13-68, except for some parcels of land totaling 127+ acres in the southwest corner of the Hicksville and Maysville Road (Lake Avenue) intersection:

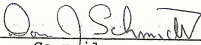
More Particularly described as follows:

Beginning at the intersection of the North right-of-way of Maysville Road (Lake Avenue) and the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68; thence north along the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68 to the north right-of-way line of Hicksville Road (East State Boulevard); thence in a northeasterly direction along the north right-of-way line of Hicksville Road (East State Boulevard) to the east line of the fractional northwest 1/4 of Section 34, Township 31 North, Range 13 East; thence south along said east line of the fractional northwest 1/4 of Section 34, (assumed to be the northerly projection of West line of Lot # 2 in Browning Sub. of Kercheval

Reserve) to the northwest corner of Lot 2 in Browning Sub. of Kercheval Reserve as recorded in Deed Book W, Pages 387-388; thence continuing in a southerly direction along the west line of said Lot 2 in Browning Sub. to a point located 262.68± feet north of the southwest corner of said Lot 2 in Browning Sub., said point more particularly described as being the northwest corner of Lot # 77 of Lake Forest Extended, Section III as recorded in Plat Book 33, Pages 19-20; thence east on a line parallel to and 262.68± feet north of the south line of Lots 1 & 2 of said Browning Sub., to the westerly right-of-way line of Maysville Road (Lake Avenue); thence southwesterly along the westerly right-of-way line of Maysville Road (Lake Avenue) to the west line of said Kercheval Reserve; thence in a westerly direction along the north right-of-way line of Maysville Road (Lake Avenue) to the point of beginning.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect ~~from and after its passage, approval by the Mayor, and sixty days after the second publication thereof as provided by law.~~ <sup>on January 1, 1974</sup>

  
Councilman

  
APPROVED AS TO FORM  
AND LEGALITY  
CITY ATTORNEY

Read the first time in full and on motion by Schmidt seconded by Fay and duly adopted, read the second time by title and referred to the (Committee on) Annexation (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal notice, at the Council Chambers, City Hall, Fort Wayne, Indiana, on~~ the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ P.M., E.S.T.)

Date: 11-9-71

Freud G. Bonachoon  
City Clerk

Read the third time in full and on motion by Schmidt seconded by Geake and duly adopted, placed on its passage.

Passed (~~1967~~) by the following vote:

AYES	<u>7</u>	NAYS	<u>1</u>	ABSTAINED	____	ABSENT	<u>1</u>	to-wit:
Adams	<u>✓</u>	____	____	____	____	____	____	
Dunifon	<u>✓</u>	____	____	____	____	____	____	
Fay	____	____	____	____	____	____	<u>✓</u>	
Geake	<u>✓</u>	____	____	____	____	____	____	
Nuckols	____	<u>✓</u>	____	____	____	____	____	
Rousseau	<u>✓</u>	____	____	____	____	____	____	
Schmidt	<u>✓</u>	____	____	____	____	____	____	
Steigerwald	<u>✓</u>	____	____	____	____	____	____	
Tipton	<u>✓</u>	____	____	____	____	____	____	

Date: 12-28-71

Freud G. Bonachoon  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. X-39-71

on the 28<sup>th</sup> day of December, 19 71.

ATTEST: (SEAL)

Freud G. Bonachoon  
City Clerk

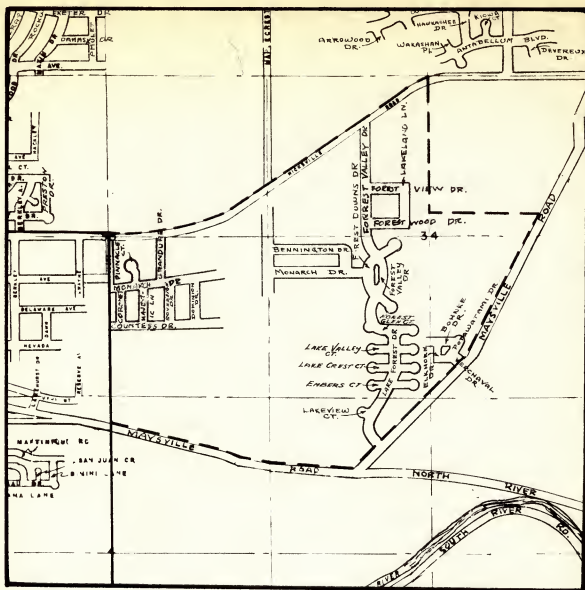
John H. Starnes  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29<sup>th</sup> day of December, 19 71 at the hour of 8:30 o'clock A.M., E.S.T.

Freud G. Bonachoon  
City Clerk

Approved and signed by me this 29<sup>th</sup> day of December, 19 71, at the hour of 9:03 o'clock A.M., E.S.T.

Harold S. Zeis  
Mayor



## PRESENT CORPORATE LIMITS

## PROPOSED CORPORATE LIMITS

## N

*Hold 12/14/71*  
*(Schmidt to see Clifton)*

Bill No. X-71-11-09

REPORT OF THE COMMITTEE ON ANNEXATION

We, your Committee on Annexation to whom was referred an Ordinance  
annexing certain territory to the City of Fort Wayne and including the same in  
Councilmanic District No. 2, *effective date Jan. 1, 1974*

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance 0 PASS. *As Amended*

DONALD J. SCHMIDT, Chairman

HERBERT G. TIPTON, Vice-Chairman

CELIA ANN FAY

JOHN NUCKOLS

EDWIN J. ROUSSEAU

*As Amended*  
*D. J. Schmidt*  
*Herbert G. Tipton*

*John Nuckols*  
*Edwin J. Rousseau*

LAW OFFICES  
LIVINGSTON, DILDINE, HAYNIE & YODER  
LINCOLN TOWER  
FORT WAYNE, INDIANA 46802

WARD E. DILDINE (1970)  
GILMORE S. HAYNIE (1969)

VON E. LIVINGSTON  
THOMAS W. YODER  
WILLIAM P. FAGAN  
DAVID B. KELLER  
MILFORD M. MILLER, JR.  
NORMAN E. BAKER  
CHARLES R. CODDELL  
PHILIP L. CARSON  
LAWRENCE A. LEVY  
EDWARD L. MURPHY, JR.

AREA CODE 219  
TELEPHONE  
742-8341

January 3, 1972

The Honorable Charles W. Westerman  
Clerk of the City of Fort Wayne  
City-County Building  
Fort Wayne, Indiana 46802

Re: Marathon Oil Company

Dear Mr. Westerman:

Marathon Oil Company owns a service station on Lots 151 to 154, inclusive, of Delta Heights Addition to the City of Fort Wayne, which is located on the northeast corner of the intersection of Lake Avenue Extended and Highway 30 By-Pass. As part of the proceedings to rezone that site, it made certain commitments to the then Common Council of the City of Fort Wayne. By letter dated December 28, 1971, a xerox copy of which is enclosed herewith, the then Common Council of the City of Fort Wayne released Marathon Oil Company from those commitments. I understand that the original letters of commitment are on file with the records of the Common Council and the Fort Wayne Plan Commission. Unfortunately, my file does not disclose the ordinance number which accomplished this rezoning. However, Mr. Gary Baeten, of the Fort Wayne City Plan Commission, advised me that he was able to find this file without a great deal of inconvenience not too long ago and would be willing to assist you in finding it again.

So that the records of both the Plan Commission and the City Council are current, I would greatly appreciate your cooperation in causing this letter and the enclosed letter from the Common Council, dated December 28, 1971, to be filed in the records of the Common Council in the same place that the original letters of commitment are filed. The original letters of commitment were dated December 28, 1966 and March 9, 1967.

LIVINGSTON, DILDINE, HAYNIE & YODER

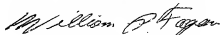
The Honorable Charles W. Westerman  
January 3, 1972  
Page 2

Together with a xerox copy of this letter, I am sending a copy of the December 28, 1971 letter of release to Mr. Baeten with the request that the Plan Commission's files, likewise, be brought current. I am giving Mr. Baeten an additional copy of the letter of release for use in obtaining the curb cut permit.

Very truly yours,

LIVINGSTON, DILDINE, HAYNIE & YODER

By

  
William P. Fagan

WPF:bh  
Enclosure

xc: Mr. Gary Baeten (enc.)  
xc: Mr. Albert Ray Williams (enc.)  
xc: Mr. John VanderPloeg (enc.)

COMMON COUNCIL  
OF  
THE CITY OF FORT WAYNE  
City-County Building  
Fort Wayne, Indiana

December 28, 1971

Marathon Oil Company  
Box 24002  
Indianapolis, Indiana 46224

Re: Your Station at the Northeast  
Corner of U.S. 30 By-Pass and  
Lake Avenue in the City of  
Fort Wayne, Indiana

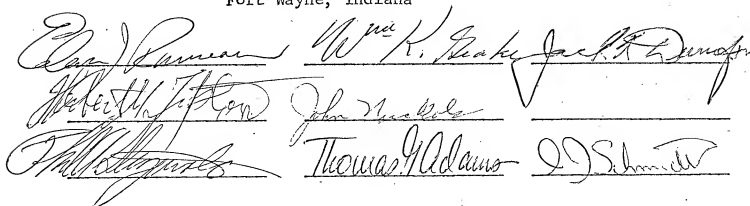
Gentlemen:

Reference is made to your letters dated December 28, 1966 and March 9, 1967 to this Council in which you agreed that you will not make application for access to the subject property from Highway 30 By-Pass. We understand that Sun Oil Company does have access to its service station at the same intersection by way of a curb cut off Highway 30 By-Pass.

In view of the developments in this area since you made your commitment to us, we hereby release you from that commitment and consent to your having access to the subject property from U. S. 30 By-Pass, subject to your obtaining all necessary permits therefor from all governmental and regulatory agencies having jurisdiction thereover.

Very truly yours,

COMMON COUNCIL OF THE  
CITY OF FORT WAYNE  
Fort Wayne, Indiana

  
The block contains six handwritten signatures, each written over a horizontal line. From left to right, the signatures are: 1. A cursive signature that appears to be 'Earl D. ...'. 2. A cursive signature that appears to be 'Wm. K. ...'. 3. A cursive signature that appears to be 'Jack ...'. 4. A cursive signature that appears to be 'John ...'. 5. A cursive signature that appears to be 'Thomas ...'. 6. A cursive signature that appears to be 'J. Schmidt'.



Date January 21, 19 72

Legal Notices

Notice is hereby given that on the 28th day of December, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit:

Bill No. X-71-11-09 (Amended)

AN ORDINANCE amending certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2.

IT ORAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit: Being part of Section 33, Township 31 North, Range 13 East, and Section 34, Township 31 North, Range 13 East, and Section 3, Township 30 North, Range 13 East, being part of the Kercheval Reserve, bounded on the north by Hicksville Road, more commonly known as East State Boulevard, bounded on the south and east by Maysville Road, also known as Lake Avenue, bounded on the west by the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68, except for some parcels of land totaling 27, plus or minus, acres in the southwest corner of the Hicksville and Maysville Road (Lake Ave.) intersection.

More particularly described as follows: Beginning at the intersection of the North right-of-way of Maysville Road (Lake Avenue) and the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68; thence north along the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-68 to the north right-of-way line of Hicksville Road (East State Boulevard); thence in a northeasterly direction along the north right-of-way line of Hicksville Road (East State Boulevard) to the east line of the fractional northwest 1/4 of Section 34, Township 31 North, Range 13 East; thence south along said east line of the fractional northwest 1/4 of Section 34, (assumed to be the northerly projection of West line of Lot No. 2 in Browning Sub. of Kercheval Reserve) to the northwest corner of Lot 2 in Browning Sub. of Kercheval Reserve as recorded in Deed Book W, Page 367-368; thence continuing in a southerly direction along the west line of said Lot 2 in Browning Sub. to a point located 262.66, plus or minus, feet north of the southwest corner of said Lot 2 in Browning Sub.; said point more particularly described as being the northwest corner of Lot No. 77 of Lake Forest Extended, Section 111 as recorded in Plat Book 33, Pages 19-20; thence east on a line parallel to and 262.66, plus or minus, feet north of the south line of Lots 1 & 2 of said Browning Sub., to the westerly right-of-way line of Maysville Road (Lake Avenue); thence southwesterly along the westerly right-of-way line of Maysville Road (Lake Avenue) to the west line of said Kercheval Reserve; thence in a westerly direction along the north right-of-way line of Maysville Road (Lake Avenue) to the point of beginning.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and shall take effect on January 1, 1972.

DONALD L. SCHMIDT, Councilman  
Read the third time in full and on motion by Schmidt seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:  
Ayes, seven.

A. D. O. M. S., Dunfion, Geake, Rousseau, Schmidt, Shelperwald, Tipton.  
Nays, one, to-wit: Councilman Nuckals.  
Absent, one, to-wit: Councilman Fay.  
Date: 12-28-71.

FUAD G. BONAHOOM, City Clerk  
Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-39-71 on the 28th day of December, 1971.

ATTEST:  
FUAD G. BONAHOOM, City Clerk  
PHIL A. STEIGERWALD,  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk  
Approved and signed by me this 29th day of December, 1971, at the hour of 9:03 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor.  
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-39-71 passed by the Common Council on the 28th day of December 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of December, 1971, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of December, 1971.

FUAD G. BONAHOOM, City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is \_\_\_\_\_ CLERK \_\_\_\_\_ of the

JOURNAL-GAZETTE  
a DAILY newspaper of general circulation printed and published in the English language in the city } of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time S, the dates of publication being as follows:

January 11, 1972

January 18, 1972

Subscribed and sworn to before me this 21st day of January, 1972  
Edith Stapleton  
Notary Public

My commission expires March 8, 1974



*Arvilla De Wald*

CLERK

Title \_\_\_\_\_

Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	
Head number of lines	—
Body number of lines	127
Tail number of lines	1
Total number of lines in notice	128

COMPUTATION OF CHARGES

128 lines, columns wide equals equivalent lines at .288¢ cents per line	\$ 36.86
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	
Charge for extra proofs of publication (50 cents for each proof in excess of two)	
TOTAL AMOUNT OF CLAIM	\$ 36.86

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5 1/2 point
Number of insertions 2	Size of quad upon which type is cast 5 1/2

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 21, 1972 Title CLERK

In my office, I have examined the foregoing account and find it correct and true. I have compared it with the original copy and the original copy is in my possession. I have also compared it with the original copy and the original copy is in my possession. I have also compared it with the original copy and the original copy is in my possession.

PUBLISHER'S AFFIDAVIT

State of Indiana }  
Allen County } ss:  
Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLA DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTE a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 8, the dates of publication being as follows: January 11, 1972 January 18, 1972 Subscribed and sworn to before me this 21st day of January 1972 Edith Stapleton Notary Public My commission expires March 8, 1974

## Legal Notices

Notice is hereby given that on the 28th day of December, 1971, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session, did pass the following Annexation Ordinance, to-wit:

Bill No. X-31-149 (Amended)  
ANNEXATION ORDINANCE NO. X-39-71  
AN ORDINANCE annexing certain territory to the City of Fort Wayne and including the same in Councilmanic District No. 2.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby annexed to and made a part of the City of Fort Wayne, Indiana, to-wit: Being part of Section 33, Township 31 North, Range 13 East, and Section 34, Township 31 North, Range 13 East, and Section 33, Township 31 North, Range 13 East, and Section 34, Township 31 North, Range 13 East, being part of the Hicksville Reserve, bounded on the north by Hicksville Road, more commonly known as East State Avenue, bounded on the south and east by Maysville Road, also known as Lake Avenue, bounded on the west by the Fort Wayne Corporate Limits, as established by Annexation Ordinance No. X-13-58, except for some parcels of land totaling 127, plus or minus, acres in the southeast corner of the Hicksville and Maysville Road (Lake Ave.) intersection:

More particularly described as follows: Beginning at the intersection of the North right-of-way of Maysville Road (Lake Avenue) and the Fort Wayne Corporate Limits, as established by Annexation Ordinance No. X-13-58, thence north along the Fort Wayne Corporate Limits as established by Annexation Ordinance No. X-13-58 to the north right-of-way line of Hicksville Road (East State Avenue) thence in a northeasterly direction along the north right-of-way line of Hicksville Road (East State Avenue) to the east line of the fractional northwest 1/4 of Section 34, Township 31 North, Range 13 East, thence south along said west 1/4 of Section 34, Township 31 North, Range 13 East, to the north line of the fractional northwest 1/4 of Section 34, (assumed to be the northerly projection of West line of Lot 2 in Browning Sub. of Kercheval Reserve) to the northwest corner of Lot 2 in Browning Sub. of Kercheval Reserve as the Sub. of Kercheval Reserve as recorded in Deed Book W, Page 38, thence continuing in a southerly direction along the west line of said Lot 2 in Browning Sub. to a point located 262.64, plus or minus, feet north of the southwest corner of said Lot 2 in Browning Sub., said point more particularly described as being the northwest corner of Lot No. 77 of Lake Forest Extended, Section 111 as recorded in Plat Book 32, Pages 19-20, thence east on a line parallel to and 262.64, plus or minus, feet north of the south line of Lots 1 & 2 of said Browning Sub. to the westerly right-of-way line of Maysville Road (Lake Avenue), thence southwesterly along the westerly right-of-way line of Maysville Road (Lake Avenue) to the west line of said Kercheval Reserve, thence in a westerly direction along the north right-of-way line of Maysville Road (Lake Avenue) to the point of beginning.

SECTION 2. Said annexed territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 29 of Chapter 1 of the Municipal Code of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and shall lose effect on January 1, 1974.

Read the third time in full and on motion by Schmidt seconded by Geake and duly adopted, placed on its passage. Passed by the following vote:

Ayes seven.  
A. Adams, Dunifon, Geake, Rousseau, Schmidt, Steigerwald, Tipton.  
Nays, one, to-wit: Councilman Nuckols.  
Absent, one, to-wit: Councilman Fay.

Date: 12-28-71  
FUAD G. BONAHOOM, City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-39-71 on the 28th day of December, 1971.

ATTEST:  
FUAD G. BONAHOOM, City Clerk  
PHIL A. STEIGERWALD, Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 29th day of December, 1971 at the hour of 8:30 o'clock A.M., E.S.T.

FUAD G. BONAHOOM, City Clerk  
Approved and signed by me this 29th day of December, 1971, at the hour of 9:03 o'clock A.M., E.S.T.

HAROLD S. ZEIS, Mayor.  
I, Fuad G. Bonaohoom, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true, and complete copy of Annexation Ordinance No. X-39-71 passed by the Common Council on the 28th day of December 1971, and that said Ordinance was duly signed, and approved by the Mayor on the 29th day of December, 1971, and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 30th day of December, 1971.

FUAD G. BONAHOOM, City Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }

Personally appeared before me, a notary public in and for said county and state, the undersigned A. M. Hostman who, being duly sworn, says that She is Clerk of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:

January 11, 1972

January 18, 1972

Subscribed and sworn to before me this 21st day of January 19 72

Edith Stapleton  
Notary Public

My commission expires March 8, 1974

Common Council-City of Ft. Wayne  
(Governmental Unit)

To.....NEWS-SENTINEL.....Dr.

Allen.....County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines	_____
Head number of lines	_____
Body number of lines	127
Tail number of lines	1
Total number of lines in notice	128

COMPUTATION OF CHARGES

128 lines, _____ columns wide equals _____ equivalent lines at 288¢ cents per line	\$ 36.86
Additional charge for notices containing rule or tabular work (50 per cent of above amount)	_____
Charge for extra proofs of publication (50 cents for each proof in excess of two)	_____
TOTAL AMOUNT OF CLAIM	\$ 36.86

DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type 5½ point
Number of insertions 2	Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

A. M. Hostman

Date January 21, 19 72

Title Clerk

1-11-18. FUAD G. BONAHOOM, City Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana } ss:  
ALLEN County }  
Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman who, being duly sworn, says that She is Clerk of the NEWS-SENTINEL a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time s, the dates of publication being as follows:  
January 11, 1972  
January 18, 1972  
A. M. Hostman  
Subscribed and sworn to before me this 21st day of January 19 72  
Edith Stapleton  
Notary Public  
My commission expires March 8, 1974

